



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/21/19

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MEMO ENDORSED

November 21, 2019

VIA ECF

Hon. Barbara Moses, U.S.M.J.
United States District Court
for the Southern District of New York
500 Pearl Street
New York, NY 10007

Application GRANTED. SO ORDERED.

Barbara Moses, U.S.M.J., Nov. 21, 2019

**Re: Jocelyn Pettenato et al. v. Beacon Health Options, Inc. et al.,
Civil Action No. 1:19-cv-1646 JPO-BCM**

Dear Judge Moses:

As Your Honor is aware, we represent Defendants Beacon Health Options, Inc., Beacon Health Strategies LLC and ValueOptions Federal Services, Inc. ("Defendants") in the above-referenced matter. We write jointly with Plaintiffs to respectfully request an extension of time for the parties to file a stipulation and proposed order regarding dismissal or transfer or for Defendants to file a motion to dismiss the claims of non-New York Plaintiffs, up to and including December 6, 2019.

This Court's October 25, 2019 Order (ECF No. 62) ordered the parties to promptly meet and confer regarding the claims of the out-of-state Plaintiffs and to file any stipulation and proposed order regarding dismissal or transfer by November 1, 2019 (14 days after the date of the Court's Order). The Order also set a deadline of November 22, 2019 (28 days after the date of the Court's Order) for Defendants to file their motion to dismiss. The parties request an extension of these deadlines so that the parties can further confer regarding where the non-New York Plaintiffs' claims would be properly venued and potentially enter into a stipulation for dismissal of the non-New York Plaintiffs' current claims with this Court. Because a key decision maker for Defendants has been on vacation, Defendants are still confirming their position about where non-New York Plaintiffs may proceed and the extent to which Defendants may stipulate to general jurisdiction. Defendants will notify Plaintiffs of their position by Wednesday, November 27.

In light of these pending issues, and given the upcoming Thanksgiving holiday, the parties are requesting an extension up to and including December 6, 2019 for Defendants to file a motion to dismiss, if necessary, or to file a stipulation and proposed order regarding dismissal or transfer.

This is the parties' second request for an extension of time. On July 11, 2019, the parties made their first request for an extension in connection with briefing Plaintiffs' motion for conditional collective certification (ECF No. 47), which the Court granted that same day (ECF No. 48). The requested extension will not affect any other scheduled dates in this matter.

We thank Your Honor for your attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ Maria Papasevastos

Maria Papasevastos

MP

cc: All Counsel of Record (via ECF)